

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X

YOMAIRA SANTIAGO,

Plaintiff,

- against -

BAUSCH & LOMB INCORPORATED,

Defendant.

-----X

ORDER

CV 06-3166 (ENV) (JO)

JAMES ORENSTEIN, Magistrate Judge:

Defendant Bausch & Lomb Incorporated seeks reconsideration of my order dated August 14, 2006, docket entry ("DE") 18. I deny that application. My initial determination rested on an assumption that the Judicial Panel on Multidistrict Litigation ("JPML") would order the consolidation of similar lawsuits and on the fact that the discovery at issue might be pertinent to the question whether this particular action should be made part of such consolidated proceedings. *See* DE 18 at 2. The JPML has since issued an order consolidating *other* cases, not including this one, into a multidistrict proceeding. *See In re Bausch & Lomb Inc. Contact Lens Solution Products Liability Litigation*, Docket No. 1785, Transfer Order (J.P.M.L. Aug. 14, 2006) (copy appended to DE 21). In other words, the JPML has done exactly that which all parties and I anticipated at the time of my original order, and nothing more. As a result, there is no conceivable basis on which I could properly grant a motion for reconsideration. *See* Loc. Civ. R. 6.3 (referring to matters or controlling decisions that "the court has overlooked").

SO ORDERED.

Dated: Brooklyn, New York
August 24, 2006

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge